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February 13, 2009

Honorable Steven M. Gold
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

***Re: Ackerman v. Beth Israel Cemetery Association
CV 06 1125***

Dear Judge Gold:

This firm represents the Plaintiff in the above entitled action.

This letter is in response to your Honor's order of February 3, 2009. As an initial matter, I have been out of the office over the last 2 weeks due to sickness. In addition, my paralegal Christine is no longer employed with me. These two factors have made it difficult for me to conduct business as usual.

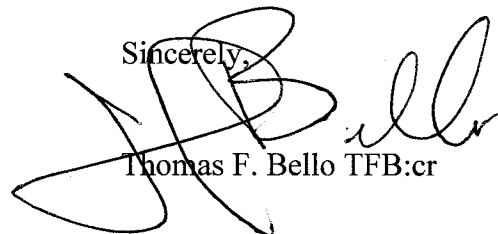
However, as a partial response to your order, at the last conference held before Judge Vitaliano since the case could not be settled, the entire matter was either going to be removed to a New Jersey District Court or remain in this court with a decision to be made by the defendants as to any motion to be filed. I am not aware of either of these events happening.

I will be out of town, if not ill, up until Monday February 23, 2009. May I suggest that a conference call be made on that date or a date convenient to the court with all parties and of course the Court to determine the course of action in this matter.

We appreciate your assistance with respect to this matter and will await your instructions.

Thank you.

Sincerely,



Thomas F. Bello TFB:cr